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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,) Case No. CR03-138-MJP-JPD
10 Plaintiff,)
11 v.) SUMMARY REPORT OF U.S.
12 LEO FRANCISCO JOSE,) MAGISTRATE JUDGE AS TO
13 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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15 An initial hearing on supervised release revocation in this case was scheduled before
16 the undersigned Magistrate Judge on July 25, 2005. The United States was represented by
17 Assistant United States Attorney David Jennings, and the defendant by Mr. Robert Gombiner,
18 Assistant Federal Public Defender. The proceedings were recorded on cassette tape.

19 Defendant had been sentenced on or about May 13, 2002, by the Honorable Marsha J.
20 Pechman on a charge of possession of stolen mail, and sentenced to three (3) months in
21 custody, three (3) years of supervised release, and two (2) months in a community corrections
22 center.

23 Defendant's sentence was revoked on August 28, 2002, and at that time he was
24 sentenced to thirty (30) days in custody, thirty-five (35) months of supervised release, and
25 four (4) months in a community corrections center.

26 Again, defendant's sentence was revoked on January 25, 2006, and he was sentenced

01 to sixty (60) days in custody, eighteen (18) months of supervised release, and four (4) months
02 in a community corrections center.

03 The conditions of his supervised release included requirements that defendant comply
04 with all local, state, and federal laws, and the standard conditions of supervision. Special
05 conditions were imposed to include, but not limited to, no firearms, substance-abuse
06 treatment, financial disclosure, a fine of \$500.00, to maintain a single checking account, and
07 to prohibit conveying any asset over \$500.00 without the United States Probation Office's
08 approval.

09 In a Petition for Warrant or Summons dated July 8, 2005, U.S. Probation Officer
10 Jonathan M. Ishii alleged the following violations of the conditions of supervised release:

- 11 1. Consuming cocaine and methamphetamine on or about June 30, 2005, in
12 violation of the general condition of supervised release.
- 13 2. Failing to participate in a community corrections or sanctions center program,
14 in violation of special condition #4.

15 Defendant was advised in full as to those charges and as to his constitutional rights.

16 Defendant admitted both of the alleged violations and waived any evidentiary hearing
17 as to whether they occurred.

18 I therefore recommend the Court find defendant violated his supervised release as
19 alleged and that the Court conduct a hearing limited to the issue of disposition. The next
20 hearing will be set before Judge Marsha J. Pechman at a date to be determined.

21 Pending a final determination by the Court, defendant has been detained.

22 DATED this 27th day of July, 2005.

23 
24 JAMES P. DONOHUE
United States Magistrate Judge

25 District Judge: The Hon. Marsha J. Pechman
AUSA: Mr. David Jennings
26 Defendant's attorney: Mr. Robert Gombiner
Probation officer: Mr. Jonathan M. Ishii